

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

MICHAEL COREY JENKINS,
EDDIE TERRELL PARKER

PLAINTIFFS

v.

CAUSE NO. 3:23-cv-374-DPJ-ASH

RANKIN COUNTY, MISSISSIPPI, et al.

DEFENDANTS

RESPONSE TO PLAINTIFFS' [137] MOTION FOR LEAVE TO FILE

NOW COME Defendants, Rankin County and Sheriff Bryan Bailey, by and through counsel, and respond to Plaintiffs' [137] Motion for Leave to File by stating as follows:

1. Pursuant to this Court's 03/21/2025 Minute Entry:

The Court granted Plaintiffs leave under Section 6.F.4. of the Case Management Order to file ... a motion to compel production of the IA investigation notes, findings, and *Garrity* statements by **March 27, 2025**. The Court explained to the parties that the granting of leave to file is not a ruling that any such motion will be timely. Plaintiffs must address in their motion why each of the issues they raise is timely under L.U. Civ. R. 7(b)(2)(C). The Court also reminded Plaintiffs they must attach the good-faith certificate required by L.U. Civ. R. 37(a).

(emphasis added).

2. Plaintiffs filed their [136] Motion to Compel a day late, on March 28, 2025.
3. Plaintiffs allege that their counsel's busy schedule resulted in the tardy filing of the [136] Motion to Compel.
4. But the [136] Motion to Compel was filed 3 weeks after the discovery deadline and a day after the extended deadline set by the Court. If counsel-opposite knew that their schedule would interfere with their ability to meet deadlines, they could have sought an extension of time prior to expiration of the deadline.

5. In fact, the undersigned counsel would likely not have objected to an extension of time had the request been made before the deadline in compliance with L.U. Civ. R. 7(b)(10).

6. Because Plaintiffs have shown a pattern of delay and/or filing pleadings in violation of court rules and orders, Defendants respectfully request that the [137] Motion for Leave be denied.

WHEREFORE, PREMISES CONSIDERED, Rankin County and Sheriff Bryan Bailey pray that Plaintiffs' [137] Motion be denied.

RESPECTFULLY SUBMITTED, this 11th day of April, 2025.

**RANKIN COUNTY & SHERIFF BRYAN BAILEY -
DEFENDANTS**

BY: /s/ Jason E. Dare
JASON E. DARE

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